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**3. Fraudulent Conveyances (§ 295 (1)\*)—Finding That Sale of Property Levied on Was Not Fraudulent Sustained.**—In interpleader proceedings by a claimant of property levied on, evidence held to support a finding that the sale to claimant by the defendant in execution was not fraudulent in fact.

[Ed. Note.—For other cases, see 6 Va.-W. Va. Enc. Dig. 666.]

**4. Fraudulent Conveyances (§ 299 (9)\*)—Finding that Possession of Property Sold by Debtor Was Transferred Sustained.**—Where property levied on was by an interpleading claimant alleged to have been purchased by him under an unrecorded contract, evidence held to support a finding that possession was not allowed to remain in the debtor after the sale.

[Ed. Note.—For other cases, see 6 Va.-W. Va. Enc. Dig. 668.]

Error to Circuit Court, Tazewell County.

Interpleader proceedings by C. G. High against William F. Deitz, asserting a claim to property levied on by the latter as belonging to Samuel G. Walker. Judgment for plaintiff in the interpleader, and defendant brings error. Affirmed.

*Sexton & Roberts*, of Bluefield, W. Va., for plaintiff in error.

*R. O. Crockett*, of Tazewell, for defendant in error.

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HINES, Director General of Railroads *v.* BUCHANAN.

Sept. 28, 1921.

[109 S. E. 219.]

**1. Carriers (§ 121\*)—Not Liable for Injuries Traceable Solely to Improper Loading and Packing Undertaken by Shipper Himself.**—Generally a common carrier has the duty of loading and unloading the goods and is responsible for loss or injury incident thereto, but where a shipper for purposes of his own convenience undertakes to load and unload the goods, the carrier is not responsible for injuries received in transportation traceable solely to improper loading and packing.

[Ed. Note.—For other cases, see 2 Va.-W. Va. Enc. Dig. 618.]

**2. Carriers (§ 134\*)—Evidence Held to Prove Carrier Did Not Make Practice of Inspecting Carloads Loaded by Shippers.**—In action for damage to household goods loaded and packed by third party employed to so do by shipper, in car furnished by carrier, evidence held to prove that carrier did not make a practice of inspecting carloads loaded by shippers.

[Ed. Note.—For other cases, see 2 Va.-W. Va. Enc. Dig. 718.]

**3. Carriers (§ 111\*)—Carrier Not Required to Inspect Cars Loaded**

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\*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.

**by Shippers to See if Goods Are Properly Packed.**—A carrier is not required to inspect carloads loaded by shippers to ascertain whether goods have been properly packed before proceeding to transport them.

[Ed. Note.—For other cases, see 2 Va.-W. Va. Enc. Dig. 682.]

**4. Carriers (§ 334\*)—Evidence Held to Prove Goods Were Improperly Loaded and Packed in Car by Shipper's Agents.**—In shipper's action for damage to a carload of household goods, evidence held to prove the goods were not properly loaded and packed in the car by third parties employed by shipper.

[Ed. Note.—For other cases, see 2 Va.-W. Va. Enc. Dig. 718.]

**5. Carriers (§ 132\*)—Negligence Presumed from Arrival of Goods in Damaged Condition.**—Negligence in transportation will be presumed from arrival of goods at destination in damaged condition.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 404.]

**6. Carriers (§ 134\*)—Evidence Held to Overcome Presumption of Negligent Transportation Arising from Arrival of Goods in Damaged Condition.**—In shipper's action for damage to carload of household goods, evidence held to overcome presumption of negligent transportation arising from arrival of goods in damaged condition and to prove that damage would not have occurred if the car had been properly loaded and the goods properly packed.

[Ed. Note.—For other cases, see 2 Va.-W. Va. Enc. Dig. 718.]

Error to Law and Equity Court of City of Richmond.

Action by Elizabeth Buchanan against W. D. Hines, Director General of Railroads. Judgment for plaintiff, and defendant brings error. Reversed.

*Munford, Hunton, Williams & Anderson*, of Richmond, for plaintiff in error.

*T. Justin Moore*, of Richmond, for defendant in error.

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\*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.